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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/064,389	
	<b>Filing Date</b>	07/09/2002	
	<b>First Named Inventor</b>	Holman	
	<b>Group Art Unit</b>		
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	<b>13</b>	<b>Attorney Docket Number</b>	<b>H-322</b>

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Withdrawal of Claim to Small Entity Status Request to Change Address of Inventor
<b>Remarks</b>		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	David J. Cole
Signature	<i>David J. Cole</i>
Date	09/23/2002

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) **1082.00****Complete if Known**

Application Number	10/064,389
Filing Date	07/09/2002
First Named Inventor	Holman
Examiner Name	
Group Art Unit	
Attorney Docket No.	H-322

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	501162
Deposit Account Name	E Ink Corporation

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 180	214 80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) 

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (limit number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
189 900	169 900	Request for expedited examination of a design application	
Other fee (specify) <b>Fee deficiency</b>			952.00

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **1082.00****SUBMITTED BY**

Name (Print/Type)	David J. Cole	Registration No. (Attorney/Agent)	29629	Telephone	617-499-6069
Signature	<i>David J. Cole</i>	Date	09/23/2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PT -2038.**

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mp

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that the accompanying Documents, namely Transmittal Form (Form PTO/SB/21 - 1 page), Fee Transmittal (Form PTO/SB/17 - 1 page), Response to Notice to File Missing Parts (2 pages), Declaration (2 copies of two pages), copy of Notice to File Missing Parts (2 pages), Withdrawal of Claim to Small Entity Status (2 pages) and Request to Change Address of Inventor (1 page) are being facsimile transmitted to the United States Patent and Trademark Office on facsimile number 703-746-9195 (OIPE) on September 23, 2002 (14 pages, including this Certificate)



Signature

David J. Cole

Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Group Art Unit:** Not yet known  
**Application of:** Holman et al.  
**Serial No.:** 10/064,389  
**Filed:** July 9, 2002  
**For:** **ELECTRO-OPTIC DISPLAY AND LAMINATION  
ADHESIVE**

Cambridge, Massachusetts  
September 23, 2002

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington DC 20231

*Via facsimile to 703-746-9195*

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application, issued July 22, 2002 in connection with the above application, applicants are filing herewith a Declaration signed by the inventor, and a Fee Transmittal (Form PTO/SB/17) authorizing the charging of the surcharge required by 37 CFR 1.16(e) to the assignee's Deposit Account. The duplicate copy of the Notice also accompanies this filing. Because one of the inventors is no longer an employee of E Ink, it was necessary to execute the Declaration on two separate copies, but based on previous experience, the undersigned attorney assumes this is not objectionable to the Office

Since the claim to small entity form is being withdrawn (see the Withdrawal of Claim to Small Entity Status under 37 CFR 1.28(c) and Payment of Fee Deficiency filed herewith), the surcharge is being paid in the amount applicable for a large entity.

*Holman et al.*  
*Serial No. 10/064,389*  
*Response to Notice to File Missing Parts*  
*Page 2*

E INK Corporation  
733 Concord Avenue  
Cambridge MA 02138

Telephone (617) 499-6069  
Fax (617) 499-6200  
E-mail dcole@eink.com

Respectfully submitted

A handwritten signature in black ink, appearing to read "David J. Cole". The signature is fluid and cursive, with the first name "David" and last name "Cole" clearly distinguishable.

David J. Cole  
Registration No. 29629

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Group Art Unit:** Not yet known  
**Application of:** Holman et al.  
**Serial No.:** 10/064,389  
**Filed:** July 9, 2002  
**For:** ELECTRO-OPTIC DISPLAY AND LAMINATION  
ADHESIVE

Cambridge, Massachusetts  
September 23, 2002

**WITHDRAWAL OF CLAIM TO SMALL ENTITY STATUS  
UNDER 37 CFR 1.28(c) AND PAYMENT OF FEE DEFICIENCY**

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

The above application was filed on July 9, 2002 and the filing fees were paid in the amount appropriate for a small entity, thereby effecting a claim to small entity status under 37 CFR 1.27(c)(3). This claim to small entity status was made by the undersigned attorney in good faith, since the undersigned was aware that the beneficial owner of the application, E Ink Corporation, did, and still does, qualify as a small entity as a small business. Furthermore, at the time this application was filed, the undersigned was not aware of any interest in this application owned by any entity which did not qualify as a small entity.

However, since this application was filed, the undersigned has become aware that, prior to the filing of this application, E Ink Corporation had entered into a license agreement with a corporation which, at all relevant times, did not qualify as a small entity. Accordingly, the undersigned attorney hereby acknowledges that the aforementioned claim to small entity status was made in error and withdraws the claim to small entity status pursuant to 37 CFR 1.28(c). As a result of this withdrawal of the claim to small entity status, there is a deficiency in the fees paid, as follows:

*Application of Holman et al.*  
*Serial No. 10/064,389*  
*Page2*

Type of fee	Fee code	Large entity fee payable	Small entity paid	Deficiency
Utility filing fee	201	740	370	370
Fee for claims over 20	203	828	414	414
Independent claims over 3	202	336	182	182
<b>TOTAL DEFICIENCY</b>				<b>\$952</b>

A Fee Transmittal Form (Form PTO/SB/17) authorizing charging of this fee deficiency to E Ink's Deposit Account No. 501162 is enclosed.

As a result of the foregoing itemization of the fee deficiency, it is believed that payment of the processing fee set forth in 37 CFR 1.17(i) is not required. If, however, this processing fee is determined to be payable, the Office is hereby authorized to charge this processing fee to Deposit Account No. 501162.

Respectfully submitted



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